

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

UNIQUE LOGISTICS INTERNATIONAL (NYC),
LLC

Plaintiff,

v.

BAREND OBERHOLZER *also known as* BARRY
OBERHOLZER and MARCELL FRANCOIS
OBERHOLZER,

Defendants.

Case No. 22-CV-2313(CBA)(TAM)

ECF CASE

**DEFENDANTS' NOTICE OF MOTION TO DISMISS
PLAINTIFF'S COMPLAINT**

PLEASE TAKE NOTICE, that defendants Barend Oberholzer and Marcell Oberholzer (collectively, the "Defendants"), by their undersigned counsel, hereby move this Court for an Order, pursuant to Rules 12(b)(6) and 9(b) of the Federal Rules of Civil Procedure, dismissing with prejudice Plaintiffs' Complaint in its entirety for failure to state a claim upon which relief can be granted and for such other relief as the Court deems just and proper. In support of their motion, Defendants will rely upon Defendants' Memorandum of Law in Support Motion to Dismiss Complaint and the Declaration of Howard Steel with accompanying exhibits, submitted herewith, as well as any further argument and briefing as may be presented at or before any hearing.

PLEASE TAKE FURTHER NOTICE that any opposition to the Motion is due on July 27, 2022.

Dated: July 6, 2022

Respectfully Submitted,

By: /s/ Howard S. Steel
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Attorneys for Defendants

CERTIFICATE OF SERVICE

I, Howard Steel, hereby certify that on July 6, 2022, I caused a true and correct copy of the foregoing to be served by electronic mail to all counsel of record pursuant to prior agreement.

Dated: July 6, 2022

/s/ Howard S. Steel
Howard S. Steel